

**FINDING OF NO SIGNIFICANT IMPACT  
AND  
DECISION RECORD  
Recreation Trails - 2004  
BLM/EK/PL-2004/005**

**Finding of No Significant Impact**

Based on the analysis of the potential environmental impacts contained in Environmental Assessment BLM/EK/PL-2004/005, I have determined that implementation of designated Recreation Trails will not have a significant effect on the human environment, and therefore, an environmental impact statement will not be prepared.

**Decision**

It is my decision to authorize the Recreation Trail as described in the Spruce-Alternative B of Environmental Assessment BLM/EK/PL-2004/005. This action will formally identify routes that are suitable for continued Off Highway Vehicle (OHV) and non-motorized use, and allow the public to enjoy their public lands, while at the same time reducing the potential for indiscriminate OHV use and resource damages.

It is my decision to defer acceptance of the Hanks/Marys Alternative at this time. Consultation with the U.S. Fish and Wildlife Service, as provided for under Section 7 of the Endangered Species Act, to assess the affects of crossing the South Fork and Main Fork of Hanks Creek that contain Lahonton cutthroat trout habitat, is required prior to making a final decision on implementation of this Trail route.

**Stipulations**

1. Protect wildlife and wildlife habitats by:
  - a. Limiting any advertising and promotion of the Spruce Mountain Trail to that which encourages summer and fall use. The area will not be promoted as a winter use destination.
  - b. The information kiosks and brochures will contain information about the Tread Lightly program and adhering to the Tread Lightly principles. The Tread Lightly principles encourage riders to travel at low speeds, follow designated routes only, avoid critical wildlife habitats, and observe all wildlife from a distance. Visitors will be made aware of critical wildlife habitats and areas that should avoided through the information provided at the staging area kiosks, the trail brochure, and trail maps.
  - c. Side routes off the main designated Trail where vehicle use may be adverse to wildlife (either yearlong or seasonally) would be posted with Carsonite signs to limit use so that the visitor would be informed before attempting to travel into these areas. The signs to provide seasonal protection to wildlife habitats would say: "Limited Use Area, December 1 through April 30th, To Protect Wildlife Habitat Areas and Reduce Wildlife Vulnerability".

d. The use of OHVs will be monitored annually following implementation of the Spruce Trail to assess affects, as provided for in the monitoring plan. If OHV use is determined to be adversely affecting wildlife habitat or populations, or causing other resources to be adversely affected, appropriate adaptive mitigation would be implemented. This may include, but not limited to, more restrictive closures (complete seasonal closures of lateral routes off the designated Trail).

e. The entrance to all adits and shafts along the Trail route will be posted with Carsonite signs with two decals on them. One decal would be for public safety; the “Stay Out and Stay Alive” message. The second decal would identify that the area may contain important habitat for bats, and any disturbance would be detrimental to their habitat. As determined necessary, adits and shafts along the Trail would have appropriate gating and/or temporal closures installed to provide security for bat populations during critical life history stages. See also Stipulation 6 below.

2. A Spruce Historic Properties Management Plan will be developed in consultation with the Nevada State Historic Preservation Office (SHPO), concurrent with implementation of the Trail system. The plan would include details of what will be recorded and to what degree, how the sites are to be monitored, and the results reported to the SHPO's office. Site stewardship efforts would also be included in the Plan. The condition of the Sprucemont Mining District, including those associated resources located on public lands, would be included in the Plan as well.

3. The South Pequop Wilderness Study Area, along the south boundary, will be monitored a minimum of once monthly during the period June through October to ensure that no new OHV impacts are occurring within the WSA. If impacts are discovered, BLM will immediately reclaim impacts caused by any unauthorized action to a level as close as possible to the original condition, or at least to a condition that is substantially unnoticeable. Tracks would be raked out, vegetation may be replanted, and the area would be naturalized. Additional WSA marker signs and Limited Use stickers would be placed at these locations to deter any additional impacts.

4. To provide for public safety and to protect bat habitats, by September 30, 2006 the BLM will complete an inventory of all potentially hazardous open shafts, tunnels and mine adits located within ¼ mile of the designated trail route on Spruce Mountain, as well as along the highly traveled lateral routes that branch off from the designated trail. Following the inventory, BLM will develop a treatment plan for these hazardous sites in cooperation with the Nevada Division of Mineral Resources, Nevada State Historic Preservation Office, Nevada Department of Wildlife, mining claimants, and other interested parties to determine what actions are necessary to protect the public from these hazards. Actions to be taken may include fencing, installing bat gates, and filling (either by heavy equipment or blasting).

In addition, BLM will place signage in front of all identified abandoned mine properties to warn the public users in the area of the hazards. The staging area kiosks will contain information about the dangers of abandoned mine lands and warn the public to stay away from these areas.

5. Seed any disturbed areas with native vegetation to limit the spread of invasive and or noxious weeds.

## **Monitoring Plan**

***Recreation Trail and Facilities:*** BLM personnel would inspect the Trail routes, signs, and trailhead facilities at least twice annually (late spring and early fall). In addition, members of the Recreation Trails Committee (ECVA) would monitor the area periodically throughout the year and report any observed problems or deficiencies to the BLM. Road surface conditions will be evaluated and needed maintenance performed (grading, culvert repair or installation, ditching, etc.) as problem areas are discovered.

A road counter will be installed across BLM Road 1037 near the Spruce Mountain staging area to collect data on vehicle use of the road. A visitor registration station will be located adjacent to the kiosk at the Spruce Mountain trail to obtain information on the number of visitors, types of equipment, and origin of the user to help monitor use levels, seasons of use, etc.

***Cultural / Historic Resources:*** Monitoring of cultural and historic sites, as identified in the Spruce Historic Properties Management Plan, will be implemented annually. The level of monitoring required is dependent on the results of obtained from the baseline inventory of historic resources in the area, and the results of cultural resource inventories conducted near any planned surface disturbing activities (parking/staging area, trailhead). In addition, BLM Law Enforcement Ranger patrols in the area would increase from the present level, and monitoring of cultural and historic sites would be included in the Ranger's duties.

***Wildlife Habitats:*** The use of OHVs will be monitored annually, starting the year that the Spruce Mountain Trail is implemented. Special emphasis will be placed on the critical deer winter range areas to assess affects. If OHV use is determined to be adversely affecting big game populations and/or wildlife habitats, then more restrictive closures will be implemented (seasonal closures of lateral routes or areas adjacent to the designated Trail).

A baseline inventory of all existing roads and two-track routes (lateral routes) that tie into the designated Trail route will be completed by September 30, 2005 for the Spruce Mountain Trail.

***Wilderness:*** With designation of a Recreation Trail around Spruce Mountain, additional monitoring visits to the south boundary of the South Pequop WSA, (where the Recreation Trail is proposed) would be implemented during the primary use season (June through October). If disturbance is discovered, monitoring would increase in the WSA.

## **Rationale**

This proposal does not conflict with Federal, state or local laws, regulations or plans. The Trail is in conformance with the Wells Resource Management Plan, Issue #4 - Recreation Management, Management Decision 3 directs the BLM to: “Limit off road vehicles (ORV) activity to designated roads and trails on 160 acres in the Ruby Marsh Trailhead; remainder of resource area designated “open” for ORV activity”.

The Spruce Mountain Trail would provide the recreating public a system of clearly identified trail routes to facilitate the public’s ability to explore and discover their public lands, while at the same time reducing the effects of indiscriminate OHV use on and around Spruce Mountain area that may be occurring as a result of the existing “Open” OHV designation. Through the use of signs, interpretive sites, information kiosks and brochures, the public will become more aware of the Tread Lightly message and the need to use their OHVs responsibly. This message and their OHV use would hopefully carry over to other areas where they use their OHVs. Designating this recreation trail is the BLM-Elko Field Office’s first attempt at applying some level of management to the dispersed OHV use in the Elko Field Office administrative area.

Selection of the Spruce-Alternative B will not result in any significant or long term effects to known resource values in the area. The identified trail routes follow existing bladed and well established two-track roads which currently sustain, and will continue to incur, motorized vehicle impacts from recurring use by the general public, grazing permittees, mining claimants, and management agency personnel.

A variety of alternative locations within the Elko Field Office administrative area for designating an OHV Trail were reviewed by resource specialist in the Elko Field Office. The BLM review team examined the following locations: Pequop Mountains, both north and south of Interstate 80; Knoll Mountain; Dolly Varden Mountains; Kinsley Mountains; Cherry Creek Mountains; Lone Mountain; and Stag Mountain. Only the Stag Mountain area was identified as a potential location to meet the criteria as set forth by the proponent (Elko Convention and Visitors Authority – Recreation Trails Committee). The criteria includes a minimum length, close proximity to paved access, distance from a nearby support community, lack of conflict with private lands, minimized backtracking on routes, and no use of County Roads (which would require vehicles be licensed). However, the level of resource concerns present in the Stag Mountain area warrant detailed analysis in a Environmental Assessment specifically directed at Stag Mountain, and the alternative routes that may be available in that area. I have therefore decided not to include analysis of the Stag Mountain OHV Trail location as part of this analysis. An alternative area near Stag Mountain developed by the BLM, and called the Hanks Creek/Marys River Trail, is included within this analysis.

The Proposed Action was not selected due to the length of route that would cross private lands (patented mining and millsite claims), and also due to the presence of numerous historic mining structures. The landowners of these private lands were contacted during the scoping phase of this Environmental Assessment, and most responded that they would not grant easements or other permissions to cross their lands.

Spruce Alternative A was not selected because it also crossed private lands, and the private landowner was unwilling to grant easements to cross the private lands for a designated Recreation Trail.

The No Action Alternative was not selected because the public benefits available by managing recreational OHV use in the Spruce Mountain area outweigh the loss of resource values that may be realized by continuing to allow for indiscriminate OHV use in the area. The selected alternative allows for the BLM to provide for management of OHV activity in the Spruce Mountain area, even with the existing Open designation.

## **Implementation**

Implementation of the designated OHV Trails is primarily dependent on funding from outside sources (grants obtained through the Elko Convention and Visitors Authority). At the time of this Decision, only the Spruce Mountain Trail has received a commitment of funding through grants.

Implementation of the Spruce Mountain Alternative B will require obtaining an easement to cross approximately .25 miles of private mining claims, following BLM Road 1037 (an existing graded route).

/s/ Clinton R. Oke  
Clinton R. Oke, Assistant Field Manager  
Nonrenewable Resources

1/5/05  
Date

## **Summary of Public Comments**

On February 12, 2004, the Bureau of Land Management sent out letters to interested parties notifying them of the Environmental Assessment process, and inviting their comments on the proposal. In addition, all of the private landowners of record that the Recreational Trail would cross were notified by letter (January 30, 2004) of the proposed trail, and their comments on the proposal were invited. Public participation was also solicited through a Press Release (January 30, 2004) inviting the public to either stop by the Elko Field Office and pick up a copy of the proposal, or visit the Elko Field Office web site to review the proposal and maps. A total of 11 comments were received (10 letters; 1 phone conversation).

In June 2004, BLM decided to include the Hanks Creek/Marys River alternative to the Spruce Mountain Trail proposal within this environmental assessment. A second public meeting was advertised with a news release in the Elko Daily Free Press, Elko Independent, and on the local radio stations. The public open house was held on July 15, 2004 from 3:00 p.m. to 7:00 p.m. Twenty (20) persons signed in for the open house. Several submitted written comments at the meeting, and others submitted written or e-mail comments at a later date. A total of 13 comments were received. The complete text of all comments received is included in the Recreation Trails EA file. A summary of all comments received can be found at the end of this Environmental Assessment in Chapter V: CONSULTATION AND COORDINATION.